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MINISTRY OF LAW

New Delhi, the 25th September, 1957

S.R.O. 3084-A.(C.L.S.R.).—In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and of all other powers enabling him in that behalf, the President hereby makes the following rules:—

1. Short title and commencement.—(1) These rules may be called the Central Legal Service Rules, 1957.

(2) They shall come into force on the 1st day of October, 1957.

2. Definitions.—In these rules,—

(a) 'duty post' means any post in the Ministry of Law, whether permanent or temporary, of a category specified in column 3 of the First Schedule;

(b) 'grade' means a grade of the Service;

(c) 'qualified legal practitioner' means—

(i) an advocate of a High Court who has practised as such for at least seven years; or

(ii) an attorney of the High Court of Bombay or Calcutta who has practised as such for at least five years;

(d) 'Schedule' means a schedule to these rules; and

(e) 'Service' means the Central Legal Service constituted under rule 3.

3. Constitution of the Central Legal Service.—There shall be constituted a Service to be known as the Central Legal Service consisting of—

(a) persons appointed to the Service at the commencement of these rules under rule 6; and

(b) persons recruited to the Service after such commencement under rule 7.

4. Strength and composition of the Service.—(1) There shall be four grades in the Service.

(2) The strength and composition of the Service and of each grade thereof shall be as specified in the First Schedule.

5. **Filling of duty posts.**—Every duty post shall be filled by appointment thereto of—

- (a) a member of the Service in the appropriate grade; or
- (b) any other person eligible for recruitment to the Service in the appropriate grade;

Provided that no person shall be appointed to a duty post under clause (b) for a period exceeding four years at a time.

6. **Initial appointments to the Service.**—(1) The Central Government may at the commencement of these rules appoint to the Service any person—

- (a) who at the commencement of these rules is holding any post specified in Part A of the Second Schedule; or
- (b) any person who, while holding any such post or any post specified in Part B of the Second Schedule, was temporarily appointed to any other civil post under the Central Government and has been continuously holding that or any other post under the Central Government until the commencement of these rules.

(2) Every person appointed to the Service under sub-rule (1) shall be appointed to one of the grades.

7. **Recruitment to the Service.**—The Central Government may after the commencement of these rules recruit to the Service—

- (a) in Grade I, any person who has been a member of the Indian Civil Service permanently allotted to the judiciary or of a State judicial service for a period of not less than sixteen years or has held a superior post in the legal department of a State for a period of not less than ten years or is a Central Government servant who has had experience in legal affairs for not less than sixteen years;
- (b) in Grade II, any person who has been a member of a State judicial service for a period of not less than thirteen years or has held a superior post in the legal department of a State for a period of not less than seven years or is a Central Government servant who has had experience in legal affairs for not less than thirteen years;
- (c) in Grade III, any person who has been a member of a State judicial service for a period of not less than ten years or has held a superior post in the legal department of a State for a period of not less than five years or is a Central Government servant who has had experience in legal affairs for not less than ten years;
- (d) in Grade IV, any person who has been a member of a State judicial service for a period of not less than ten years or has held a superior post in the legal department of a State for not less than three years or is a Central Government servant who has had experience in legal affairs for not less than seven years or is a qualified legal practitioner of not less than 30 and not more than 45 years of age.

8. **Promotions.**—(1) The Central Government may promote a member of the Service from a lower grade to a higher grade whether in a substantive or officiating capacity.

(2) Every such promotion shall be by selection.

9. **Seniority.**—(1) Members of the Service in a higher grade shall be senior to those in a lower grade.

(2) Seniority of members of the Service in any one grade shall be determined in accordance with the period of continuous service in a duty post in that grade:

Provided that the seniority of members of the Service appointed under rule 6 shall be determined by the Central Government having due regard to the posts previously held by them under the Central Government and the length of service therein.

(3) For the purposes of this rule, continuous service in a duty post in a grade shall include—

- (a) any service in a duty post in a higher grade;

(b) any service on deputation in a post which, in the opinion of the Central Government, is not lower than the duty post in status or responsibility; and

(c) any service in a post specified in the Second Schedule which, in the opinion of the Central Government, corresponds to or is higher than the duty post.

(4) Nothing in this rule shall be deemed to preclude the Central Government from determining the seniority of any member of the Service in such other manner as it deems fit if the special circumstances of his case so require.

10 **Pay.**—(1) The pay or time-scale of pay admissible to a member of the Service, or to the incumbent of a duty post, in any grade shall be as specified in respect of that grade in column 5 of the First Schedule.

(2) Where a person is appointed to any grade, his initial pay in that grade shall be at the lowest stage of the time-scale:

Provided that the Central Government may for special reasons direct such pay to be fixed at a higher stage.

(3) Any person appointed to the Service under rule 6 shall draw initial pay in the time-scale of the appropriate grade at such stage as the Central Government may direct.

11. **Probation.**—(1) Every person recruited to the Service after the commencement of these rules under rule 7 shall be appointed to the Service on probation for a period of one year, and any person appointed to the Service at the commencement thereof under rule 6 may be so appointed on probation for such period not exceeding one year as the Central Government may in each case determine.

(2) The Central Government may in the case of any person extend or reduce the period of probation.

(3) A probationer shall be liable to be discharged from the Service at any time without assigning any reasons.

12. **Other conditions of service.**—The conditions of service of members of the Service in respect of matters for which no provision is made in these rules shall be the same as are for the time being applicable to other officers of the Government of India of corresponding status.

13. **Regulations.**—The Central Government may make regulations, not inconsistent with these rules, to provide for all matters for which provision is necessary or expedient for the purpose of giving effect to these rules.

14. **Interpretation.**—If any question arises relating to the interpretation of these rules, the decision of the Central Government thereon shall be final.

FIRST SCHEDULE

(See rules 2(a), 4(1), 4(2) & 10)

Central Legal Service

(Total strength—28)

Composition of grade

Grade	Strength of grade	Designation of posts		Pay or time scale of pay	
		Number of posts			
(1)	(2)	(3)	(4)	(5)	
Grade I	4	Additional Secretary & Chief Draftsman	1	*Rs. 2,750/-.	
		Joint Secretary & Legal Adviser	2	†Rs. 2,250/-.	
		Joint Secretary & Draftsman	1		

*Rs. 3,500/- for members of the Indian Civil Service and for pre-1931 entrants; within the meaning assigned to that expression in the Central Civil Services (Revision of pay) Rules, 1947.

†Rs. 3,000 for members of the Indian Civil Service and for pre-1931 entrants' within the meaning assigned to that expression in the Central Civil Services (Revision of pay) Rules, 1947.

I	2	3	4	5
Grade II	5	Additional Legal Adviser . . .	3	} Rs. 1,600—100— 2,000.
		Additional Draftsman . . .	2	
Grade III	6	Deputy Legal Adviser . . .	3	} Rs. 1,100—50— 1,300—60—1,600.
		Deputy Draftsman . . .	3	
Grade IV	13	Assistant Legal Adviser . . .	7	} Rs. 800—50—1,150.
		Assistant Draftsman . . .	1	
		Deputation Reserve . . .	3	
		Leave Reserve . . .	2	

SECOND SCHEDULE

Superior Posts in the Ministry of Law.

[See rules 6(1) and 9(3)]

PART A

Additional Secretary and Chief Draftsman.

Joint Secretary.

Joint Secretary and Draftsman.

Additional Draftsman.

Deputy Secretary.

Deputy Draftsman.

Under Secretary.

Assistant Draftsman.

PART B

Joint Secretary and Senior Additional Draftsman.

Second Solicitor.

Assistant Solicitor.

[No. F. 57(1)/56-Adm.I.]

K. V. K. SUNDARAM, Secy.